

HOUSE No. 5290

The Commonwealth of Massachusetts



EXECUTIVE DEPARTMENT

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MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

September 7, 2006.

To the Honorable Senate and House of Representatives:

Pursuant to Part the Second, Chapter I, Section I, Article II of the Constitution of the Commonwealth, I am returning unsigned House Bill No. 4663, “An Act Requiring Triple Damages for Wage Violations.”

House Bill No. 4663 would impose mandatory treble damages on employers found to have violated various provisions of the Commonwealth’s wage and hour laws. Treble damages, however, are punitive in nature and only should be imposed, as they are now, in very limited circumstances that are not present in every case. Under House Bill No. 4663, a judge would no longer be able to distinguish between an employer who is a true bad actor and an employer who merely had a good-faith wage dispute with an employee. Both of these employers would be subject to treble damages, which is unfair.

Because courts already have the discretion to award treble damages in many cases and because this bill could adversely impact small businesses in the Commonwealth, I am returning to you House Bill No. 4663 unsigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mitt Romney".

MITT ROMNEY,
Governor.